

REMARKS

Claims 1-19 are now presented for examination. Claims 1 and 15 have been amended. Claim 1 is the only independent claim.

Claims 1, 7-9, 15 and 17-19 were rejected under 35 U.S.C. § 103 over U.S. Patent 6,091,788 (Keskitalo et al.) in view of U.S. Patent 6,192,256 (Whinnett et al.). Claims 2-6, 10-14 and 16 were rejected under 35 U.S.C. § 103 over Keskitalo et al. and Whinnett et al. in view of U.S. Patent 6,070,086 (Dobrica). Applicants submit that the claims are patentable for at least the following reasons.

Amended claim 1 recites, inter alia, an adaptive transmission unit for forming the transmission directivity pattern having a gain in a user direction by using the transmission antenna weight which is an output from the transmission antenna weight control unit and outputting N combining antenna transmission signals for transmitting the desired wave signal. The adaptive transmission unit has L adaptive transmission sub-blocks which receive L transmission antenna weights which are outputs from the L transmission antenna weight control units and a transmission signal and which output N antenna transmission signals for forming a directivity pattern having a gain in a user direction on the basis of the transmission antenna weights and transmitting a desired wave signal.

In the Office Action, it was again conceded that Keskitalo does not teach providing the recited L transmission antenna weight control units.

Claim 1, as amended, recites an adaptive transmission unit for forming the transmission directivity pattern having a gain in a user direction by using the transmission antenna weight which is an output from the transmission antenna weight control unit and outputting N combining antenna transmission signals for transmitting the desired wave signal. In particular, the adaptive transmission unit includes L adaptive transmission sub-blocks which

receive L transmission antenna weights which are outputs from the L transmission antenna weight control units and a transmission signal and which output N antenna transmission signals for forming a directivity pattern having a gain in a user direction on the basis of the transmission antenna weights and transmitting a desired wave signal.

However, if Keskitalo does not teach the L transmission weight control units, as conceded in the Office Action, it *cannot* teach the recited adaptive transmission unit, which uses those units, admittedly not present in Keskitalo.

Applicants note that this feature now added to claim 1 was previously recited in claim 15. In the Office Action, in connection with claim 15, the Examiner stated that “Keskitalo does teach the adaptive transmission unit has: L adaptive transmission sub-blocks which receive L transmission antenna weights which are outputs from the L transmission antenna weight control units and a transmission signal and which output N antenna transmission signals for forming a directivity pattern”

However, this statement was clearly incorrect, especially in light of the admission, repeated once again in the most recent Office Action, that Keskitalo contains *no* teaching of the L transmission antenna weight control units. In view of the above, claim 15 should not have been rejected, using the reason supplied in the Office Action itself, since no prima facie case of obviousness was set forth. For at least this reason, amended claim 1, which now recites the above-mentioned feature of claim 15, is clearly patentable over the cited references.

Whinnett does not remedy this deficiency because no teaching in Whinnett was identified as corresponding to the recited adaptive transmission unit, and, of course, no motivation was provided in any event to modify Keskitalo to include this feature. That is, in view of the failure of Keskitalo to teach the adaptive transmission unit, Whinnett would have to teach both missing limitations, i.e., the L transmission antenna weight control units *and* the

adaptive transmission unit, and motivation would have had to have been provided in the Office Action for such a combination/modification.

For at least the foregoing reasons, amended claim 1 is believed clearly to be patentable over Keskitalo et al. and Whinnett.

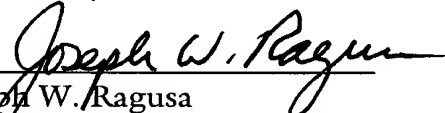
The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and its entry is therefore believed proper under 37 C.F.R. § 1.116. Moreover, in view of the fact that the feature argued above was already present in claim 15, the rejection of which was improper for the reasons discussed above, no new issues are presented by simply moving that feature into independent claim 1. Accordingly, entry of this Amendment After Final Rejection, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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